

115TH CONGRESS
1ST SESSION

H. R. 1746

To prohibit certain individuals from possessing a firearm in an airport,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2017

Mr. JOHNSON of Georgia (for himself, Ms. SPEIER, Mr. DAVID SCOTT of Georgia, Ms. KELLY of Illinois, Mr. BEYER, Mr. RASKIN, Ms. NORTON, Mr. HASTINGS, Mr. CONNOLLY, and Mr. LEWIS of Georgia) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit certain individuals from possessing a firearm
in an airport, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Airport Security Act
5 of 2017”.

1 **SEC. 2. PROHIBITION OF POSSESSION OF FIREARMS AT**
2 **AIRPORTS.**

3 (a) PROGRAM TO PROHIBIT POSSESSION OF FIRE-
4 ARMS AT AIRPORTS.—Section 44903 of title 49, United
5 States Code, is amended by adding at the end the fol-
6 lowing new subsection:

7 “(o) PROGRAM TO PROHIBIT POSSESSION OF FIRE-
8 ARMS AT AIRPORTS.—

9 “(1) ESTABLISHMENT.—The Administrator of
10 the Transportation Security Administration shall es-
11 tablish and carry out a program to prohibit, except
12 as provided in paragraph (3), any individual from
13 possessing a firearm at a covered airport, including
14 any individual who enters the airport, or who exits
15 public transportation at the airport, for the following
16 purposes:

17 “(A) Air travel.

18 “(B) Meeting another individual.

19 “(C) Picking up cargo.

20 “(D) Employment at the airport.

21 “(2) REQUIREMENTS FOR AIRPORT OPERA-
22 TORS.—In carrying out the program established
23 under paragraph (1), the Administrator shall require
24 each airport operator to—

1 “(A) conspicuously display notices summa-
2 rizing the program described in paragraph
3 (1)—

4 “(i) at each entrance to the airport;
5 and

6 “(ii) in such form, and containing
7 such information, as the Administrator
8 shall by regulation prescribe; and

9 “(B) require law enforcement personnel
10 to—

11 “(i) monitor the airport to prevent
12 violations of paragraph (1); and

13 “(ii) escort any individual described in
14 paragraph (3)(B)(ii) who is discovered by
15 such personnel to be in possession of a
16 firearm described in paragraph (3)(B)(i),
17 to ensure that such individual continues to
18 be excepted from paragraph (1) by reason
19 of being an individual described in para-
20 graph (3)(B).

21 “(3) EXCEPTIONS.—The following individuals
22 shall not be prohibited by paragraph (1) from pos-
23 sessing a firearm under such paragraph:

24 “(A) INDIVIDUALS AUTHORIZED TO CARRY
25 A FIREARM.—An individual who, by regulation,

1 is authorized by the Administrator of the Fed-
2 eral Aviation Administration or the Adminis-
3 trator of the Transportation Security Adminis-
4 tration to carry a firearm at the covered air-
5 port.

6 “(B) TRAVELERS.—An individual who pos-
7 sesses a firearm, if—

8 “(i) the firearm is unloaded, carried
9 in a hard-sided container that is locked,
10 and the key or combination to the lock is
11 in the exclusive possession of the indi-
12 vidual; and

13 “(ii) the individual—

14 “(I) is carrying a ticket in the
15 name of the individual for a flight
16 that is scheduled for departure from
17 the covered airport within 24 hours or
18 that has arrived at the airport within
19 the preceding 24 hours; or

20 “(II) communicates the intention
21 to obtain a ticket for departure re-
22 ferred to in subclause (I) at the cov-
23 ered airport and obtains and carries
24 such ticket or does not obtain such
25 ticket for a compelling reason.

1 “(C) INDIVIDUALS SHIPPING FIREARMS.—

2 An individual who possesses a firearm in a ca-
3 pacity relating to the shipment of the firearm
4 in air commerce and who, by regulation, is au-
5 thorized by the Administrator of the Federal
6 Aviation Administration or the Administrator of
7 the Transportation Security Administration to
8 possess the firearm at the covered airport in
9 such capacity.

10 “(D) LAW ENFORCEMENT OFFICERS.—An
11 on-duty law enforcement officer of a State or
12 political subdivision of a State, or an officer or
13 employee of the Federal Government, who is
14 authorized to carry a firearm.

15 “(E) CERTAIN INDIVIDUALS ON PUBLIC
16 TRANSPORTATION.—An individual passing
17 through an airport on public transportation.

18 “(F) ADDITIONAL AUTHORIZED INDIVID-
19 UALS.—An individual who is otherwise author-
20 ized by the Administrator of the Federal Avia-
21 tion Administration or the Administrator of the
22 Transportation Security Administration to pos-
23 sess a firearm at a covered airport.

24 “(4) ISSUANCE OF REGULATIONS.—Not later
25 than one year after the date of enactment of this

1 Act, the Administrator of the Transportation Secu-
2 rity Administration shall issue regulations to carry
3 out this subsection.

4 “(5) DEFINITIONS.—In this subsection:

5 “(A) AIRPORT.—The term ‘airport’ means
6 an airport and any appurtenant building or
7 area that is related to the operation of the air-
8 port, including a building or area on the site of
9 the airport designed to—

10 “(i) receive passengers or cargo before
11 or after a flight; or

12 “(ii) facilitate arrival at or departure
13 from the airport, including—

14 “(I) a road or section of road
15 used primarily for arrival at or depar-
16 ture from the airport;

17 “(II) an airport parking area;
18 and

19 “(III) a public transportation
20 stop.

21 “(B) AIRPORT OPERATOR.—The term ‘air-
22 port operator’ means the operator of a covered
23 airport.

1 “(C) ADMINISTRATOR.—The term ‘Admin-
 2 istrator’ means the Administrator of the Trans-
 3 portation Security Administration.

4 “(D) COVERED AIRPORT.—The term ‘cov-
 5 ered airport’ means an airport that in the pre-
 6 ceding fiscal year received an amount allocated
 7 or apportioned under chapter 471.

8 “(E) FIREARM.—The term ‘firearm’ has
 9 the meaning given the term in section 921(a)(3)
 10 of title 18.

11 “(F) PUBLIC TRANSPORTATION.—The
 12 term ‘public transportation’ means a convey-
 13 ance that provides regular and continuing gen-
 14 eral or special transportation to the public.”.

15 (b) CRIMINAL PENALTY FOR POSSESSION.—

16 (1) IN GENERAL.—Chapter 44 of title 18,
 17 United States Code, is amended by adding at the
 18 end the following new section:

19 **“§ 932. Possession of firearms at airports**

20 “(a) IN GENERAL.—Except as provided in subsection
 21 (b), an individual who knowingly possesses a firearm at
 22 a covered airport shall be fined under this title, imprisoned
 23 not more than 10 years, or both.

24 “(b) EXCEPTIONS.—Subsection (a) shall not apply to
 25 an individual described in section 44903(o)(3) of title 49.

1 “(c) DEFINITION OF COVERED AIRPORT.—In this
2 section, the term ‘covered airport’ has the meaning given
3 the term in section 44903(o)(5)(D) of title 49.”.

4 (2) EFFECTIVE DATE.—The amendment made
5 by paragraph (1) shall take effect on the date that
6 is 30 days after the date on which the Administrator
7 of the Transportation Security Administration has
8 issued regulations pursuant to section 44903(o)(4)
9 of title 49, United States Code (as added by sub-
10 section (a)).

11 (3) CONFORMING AMENDMENT.—The table of
12 sections for chapter 44 of title 18, United States
13 Code, is amended by adding at the end the following
14 new item:

“932. Possession of firearms at airports.”.

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